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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/801,577	03/17/2004	Takeshi Shibata	Q80514	2749

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EXAMINER

CLEVELAND, MICHAEL B

ART UNIT PAPER NUMBER

1762

DATE MAILED: 07/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/801,577	SHIBATA, TAKESHI	
	Examiner	Art Unit	
	Michael Cleveland	1762	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) 1,2,4,6,8,10,12 and 14 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 3,5,7,9,11 and 13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>012505</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Claims 1-2, 4, 6, 8, 10, 12, and 14 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 4/25/2005.

Information Disclosure Statement

2. The information disclosure statement filed 1/25/2005 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered. As of this writing, the documents submitted with the IDS on 1/25/2005 have not been scanned. Applicant provided a substitute copy of the IDS cover sheet and PTO-1449 on 7/5/2005. However, the Examiner cannot find JP 62-57297. The Examiner recommends that any reply contain a copy of the document Applicant calls JP 62-57297 along with the abridged translation Applicant states is included.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 3 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Chigusa et al. (U.S. Patent 2002/0153824, hereafter '824).

'824 teaches a method for producing an image display [0003] with an electromagnetic shield [0051], comprising the steps of

forming a thin film on a substrate by applying a sol-gel liquid [0034-0040];

generating fine pores (i.e., microcracks in a network manner) by drying the sol-gel liquid [0038-0040]; and

filling said pores with a conductive material to form said electromagnetic shield [0040, 0050].

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 7, 11, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chigusa '824 in view of Gotoh et al. (U.S. Patent 6,229,085, hereafter '085).

'824 teaches the formation of an antistatic layer of an electromagnetic shield for an image display, as discussed above, but does not explicitly teach the use of a bondable underlayer. '085 teaches that electromagnetic shields for plasma displays may be formed by forming a bondable underlayer (12) via electroless plating (col. 4, lines 30-35) underneath the antistatic layer (col. 5, line 60-col. 6, line 12). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have formed an underlayer before forming the antistatic layer of the electromagnetic shield '824 because '085 teaches that such is an operative configuration of layers to form an electromagnetic shield including an antistatic layer for an image display.

7. Claims 9 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chigusa '824 in view of Gotoh '085 as applied to claim 7 above, and further in view of Vaughn (U.S. patent 5,275,861, hereafter '861).

'824 and '085 are discussed above, but do not explicitly teach the use of an electroless plating catalyst. However, the suggested substrates of '824 and '085 comprise glass, acrylic resins, and polycarbonate resins ('824, [0029]; '085, col. 4, lines 17-29). It is well known in the art of electroless plating to provide substrates, such as glass, acrylic resins, and polycarbonates with a catalyst layer (e.g., of palladium) prior to electroless plating with nickel or copper. See, e.g., '861, col. 1, lines 19-32, col. 6, lines 4-29. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided a catalyst layer prior to electroless plating of the nickel or copper layer of '824 and '085 with a reasonable expectation

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of success because it is recognized in the art to provide a catalyst layer before providing glass, acrylic resins, or polycarbonates substrates with an electroless copper or nickel plating.


8. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chigusa '824 in view of Gotoh '085 and Vaughn '861 as applied to claim 9 above, and further in view of Sugihara et al. (U.S. Patent 4,948,706, hereafter '706).

'824, '085, and '861 are discussed above, but do not explicitly teach activation of the electroless plating catalyst. However, it is well known in the art of electroless plating to activate catalyst layers prior to electroless plating with nickel or copper. See, e.g., '706, col. 16, lines 10-27. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have activated a catalyst layer prior to electroless plating of the nickel or copper layer of '824 and '085 with a reasonable expectation of success because it is recognized in the art to activate catalyst layers prior to electroless plating with nickel or copper.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Cleveland whose telephone number is (571) 272-1418. The examiner can normally be reached on Monday-Thursday, 7-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy Meeks can be reached on (571) 272-1423. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Michael Cleveland
Primary Examiner
Art Unit 1762

7/8/2005